

REMARKS

Claims 14-43 were previously pending in this application. Claims 35 and 36 have been amended. As a result claims 14-43 are pending for examination with claims 14, 26, and 36 being independent claims. No new matter has been added.

Rejection Under 35 U.S.C. §102

The Examiner rejected claims 14-43 under 35 U.S.C. 102(a) as being anticipated by Masoud et al. (J. Bacteriol., 1995, 6718-6726). The Examiner states that Masoud et al. teach the isolation of lipopolysaccharide core of *P. aeruginosa* and that the core contains an alanine. Masoud et al. does not describe a polysaccharide core covalently conjugated to a bioactive agent. The Examiner states that the term “bioactive agent” and “covalent conjugate” are interpreted broadly to include the polysaccharide portions of the lipopolysaccharide. The Examiner recommends that “more specificity be added to the type of bioactive agent as an avenue toward possible allowable subject matter.”

Applicant has amended claims 35 and 36 to include the bioactive agents as outlined in the specification and in order to add specificity to the type of bioactive agent. Support for these amendments may be found in the specification at least on page 13, line 20 to page 14 line 34, and on page 16, line 33 to page 17 line 32. Thus, Masoud et al. does not anticipate all the elements of the amended claims 26-43. Claim 35 was also amended to correct a typographical error.

Claims 14-25 do not include the limitation of the “bioactive agent” or the “covalent conjugate”. Thus these claims should be in allowable form for reasons of record previously stated.

Accordingly, withdrawal of this rejection is respectfully requested.

Information Disclosure Statement

Applicant has never received the initialed 1449 form submitted to the USPTO by Applicant on December 7, 1999. Applicants respectfully request that the Examiner provide a copy of the initialed form to Applicants’ representative.

CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,
Gerald B. Pier, Applicant

By:



Helen C. Lockhart, Reg. No.39,248
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617) 720-3500

Docket No. B0801.70155US00

Date: October 1, 2003

x10/01/03x